THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.15129 of 2005
and
CONTEMPT CASE No.481 of 2006

Dated: 11-07-2006

Between:

Aligineni Srirama Murthy and another.

..... PETITIONERS

AND

The Mandal Revenue Officer, Vijayawada, and three others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.15129 of 2005

and

CONTEMPT CASE No.481 of 2006

COMMON ORDER:

The two petitioners are residents of Kothur Tadepalli Village of Vijayawada Rural Mandal, Krishna District. They allege that the fourth respondent so as to occupy the path way (Donka Dari) has blocked the way by putting barbed fencing with dried twigs on it. In spite of representations to the respondents 1 to 3, no action was taken. Therefore, the writ petition is filed. This Court while admitting the writ petition on 13-07-2005 passed interim orders in W.P.M.P.No.19227 of 2005 directing the respondents 1 to 3 to remove the dry twig barricade set up by the fourth respondent. The petitioners again filed the contempt case alleging that the respondents 1 to 3 disobeyed the orders of this Court dated 13-07-2005. However, in the affidavit accompanying the contempt case, they allege that though there was some delay, the order of this Court dated 13-07-2005 was complied with and the same was implemented. It is their grievance that the fourth respondent again altered the boundary stones fixed by the Mandal Surveyor.

In the counter-affidavit filed by the Mandal Revenue Officer in C.C.No.481 of 2006, it is stated that after receiving the orders of the Court dated 13-07-2005, the respondents 1 to 3 visited the land in R.S.No.194/1 on 15-10-2005 and removed the obstructions found on the path way and fixed the boundary stones. This is not denied by the learned counsel for the petitioners.

The counter averments are not seriously denied by the learned counsel for the petitioner. Therefore, cause in the contempt case as well as the writ petition does not survive. If the petitioners have any further grievance by reason of any person putting obstructions on the path way, it shall be open to them to approach the Mandal Revenue Officer again.

The Contempt case is accordingly dismissed and the writ petition is disposed of. No costs.

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V.V.S.RAO, J

11th July, 2006

ghn